

The Pallister Trust
PO Box 455
WILDERNESS
6560

12 August 2024

Chief Director: Sector Enforcement
Department Forestry, Fisheries and the Environment
Private Bag X447
PRETORIA
0001

Sir/Madam

ERF 90, WILDERNESS: INTENDED ADMINISTRATIVE NOTICES

Your Notice of Intention Ref. Erf 90 Wilderness, dated 2/8/2024 and received by The Pallister Trust on 8 August 2024, refers.

Herewith I, Geoffrey Pallister, in my capacity as member of The Pallister Trust, registered owner of Erf 90 Wilderness (the 'property'), submit the following representations on behalf of the said Trust:

1. The property, like a number of other properties along and south of Sands Road, was originally laid out on a coastal dune ridge. Owing to this, the property has always been characterised by a south-sloping gradient towards the beach, the soil basically consisting of dune sand.
2. Pertinent also is the fact that the original general plan reflected a road portion (named 'Beach Road') adjacent to and south of Sands Road property boundaries, i.e. between the said properties and the beach, and generally running parallel with Sands Road. 'Beach Road' as such was never constructed, and it is furthermore not clear whether the road reserve was ever officially closed and de-proclaimed. Depending the current status, the road reserve could conceivably at least partially correspond with the rock boulder area at Erf 90.
3. Erf 90 was originally transferred and registered in name of the first owner in 1933 (i.e. some 91 years ago). Subsequent successors in title and to date have been and still are descendants of the first owner.
4. Relevant also is that, over the years, the original owner and the three generations of subsequent owners have introduced and maintained protective measures to prevent the collapse of the sandy soils on the boundary and to limit the impact of tidal waves, especially at peak high tides and coastal storms.
5. The preventative measures inter alia included: terracing of the southern property slopes, albeit some outside property boundaries; the construction of a retaining stone/cement barrier at the lowest end, until the current situation as set out in your Notice. It should be noted that the boulders were initially basically positioned on the original footprint of the stone/cement barrier. The current random arrangement of some of the boulders is certainly not intentional, but a direct result of a heavy storm and high seas in September 2023.

6. The current situation regarding steps and boulders at Erf 90 is the result of efforts to protect against the negative impact of the forces of nature in the light of past experiences at Wilderness and gradual changes in the weather over time. A recent example is the much publicised damage and loss of life at the adjacent Leentjiesklip parking area during the storm in September 2023. The parking area and surrounds were simply flooded and swamped. Furthermore, the steps referred to in your Notice have been in that position since the early days of the first registered owner, but were re-built basically on the footprint of the old steps that were swept away by the storm of 2023.
7. Today it is clear that the said preventative measures, boulders included, have been largely successful in avoiding severe erosion of the property. They withstood the onslaught of the extreme tidal waves that flooded the adjacent public parking area in 2023. Pertinent also is that the measures at Erf 90 also served as some protection for the southeastern corner of the adjacent public parking area and ablution facilities, which are Council property.
8. Removal/relocation of the boulders would require heavy-duty equipment, e.g. front-end loaders, to be brought onto the beach. The only potential point of access is the southwestern corner of the adjacent Leentjiesklip parking area. However, this area is characterised by smaller first dunes and established salt-tolerant beach vegetation, albeit sparsely distributed. Large mechanised vehicles on the beach would undoubtedly contribute to further environmental degradation of the coastline.
9. Legislation should not prevent a registered owner from safeguarding his/her property. Whatever view is taken on the current situation at Erf 90, a physical barrier (e.g. boulders/concrete wall) would be a prerequisite. Based on your Notice, it is evident that any upgrade would be restricted to within the property boundary.
10. Operations within the property boundary would require access of vehicles to the beach as set out above. Any barrier of whatever form would require at least 3 metres over the width (± 31 metres) of the property ($\pm 90 \text{ m}^2$ in total). This area is currently vegetated (see your photo 4). Pertinent also is that vertical and horizontal cut-&-fill would be required from beach level to boundary level. Should this be constructed, it would basically imply a concrete wall in the order of 3 metres high. Seen in conjunction with the concrete retaining wall of the adjacent public parking area, it would visually imply a concrete barrier, almost 100 metres long.
11. Furthermore, in view of the unstable sandy soils, any excavation relatively close to the residence (incidentally, of historical value) could place the building at risk.
12. Relocation of the steps would imply the lowest step to end on the property boundary – resulting in that step being at least 1 metre above beach level. Adhering to the property boundary while at the same time ensuring an appropriate gradient for the steps, would require cutting into the property and erecting retaining walls.
13. There is no evidence in support of your Notice regarding the destruction of natural coastal vegetation at the boundary of Erf 90. On the contrary, the registered owner has reintroduced a variety of natural vegetation on the terraced and within the encroachment areas. Incidentally, the adjacent Council parking area was originally characterised by the beach, smaller dunes and a variety of natural vegetation, many White Milkwood trees (*Sideroxylon inerme*) included. It is currently characterised by tarmac parking and a nominal number of White Milkwoods.

14. In whatever manner it is perceived, such approaches regarding the boulders and steps would not be physically or environmentally feasible and viable. Relative to the current situation, it would result in more environmental damage. It would also impact negatively on the current character, quality and amenity value of the environment in general and of the local area and surrounds.

15. Please also consider that most so-called offences and encroachments set out in your Notice are historical and have been in position for more than 80 years. Owing to this time lapse (some 80 years), the question arises whether these 'offences' and 'encroachments' are null and void by now, and therefore have no longer any effect today.

16. Principally, the boulders are the only addition since the days of the first registered owner, but largely correspond with the footprint of the original retaining wall. In retrospect and as current registered owners, the members of The Pallister Trust acknowledge that we have erred by not submitting an application as required.


17. In conclusion, The Pallister Trust is of the opinion that the intended drastic measures set out in your Notice are not rational or feasible at this stage.

18. The Pallister Trust therefore intends to submit the relevant application(s) in terms of prescribed procedures and related requirements, inter alia supported by photographs dating back to at least 1948. This would (1) allow the Trust to address issues in a more comprehensive way, i.e. not merely submitting representations, and (2) enable your Department to manage issues, if and when required.

19. If required at this stage, your Department could be provided with a Resolution of The Pallister Trust inter alia stating that the said application(s) would be submitted to your Department. However, you are surely fully aware of the complexities of environmental applications – sufficient time would therefore be required to prepare and submit such documents.

Please place the aforesaid representation on record. Your co-operation would be appreciated.

Forwarded for your information.



GEOFFREY PALLISTER
Trustee: The Pallister Trust



The history of our family's endeavours to protect the property and house (situated on Erf 90, Wilderness, Western Cape) from the sea over the period 1933 to date (September 2024).

Compiled by Geoffrey Pallister (Grandson of the original Owner)

Introduction

This book spans the 91 year period from when the house situated on Erf 90 in Wilderness was first built in 1933, till the present day.

It gives the history of our family's endeavours to protect the property and house from the periodic onslaught of the sea.

The photos and recollections in this book were obtained from various members of our extended family. It must be emphasized that these recollections span 91 years. So although they portray historical facts, some of the actual dates may be incorrect.

I trust that the information obtained herein will enable a full understanding of the reality of the situation.

Geoffrey Pallister

11-09-2024

East London

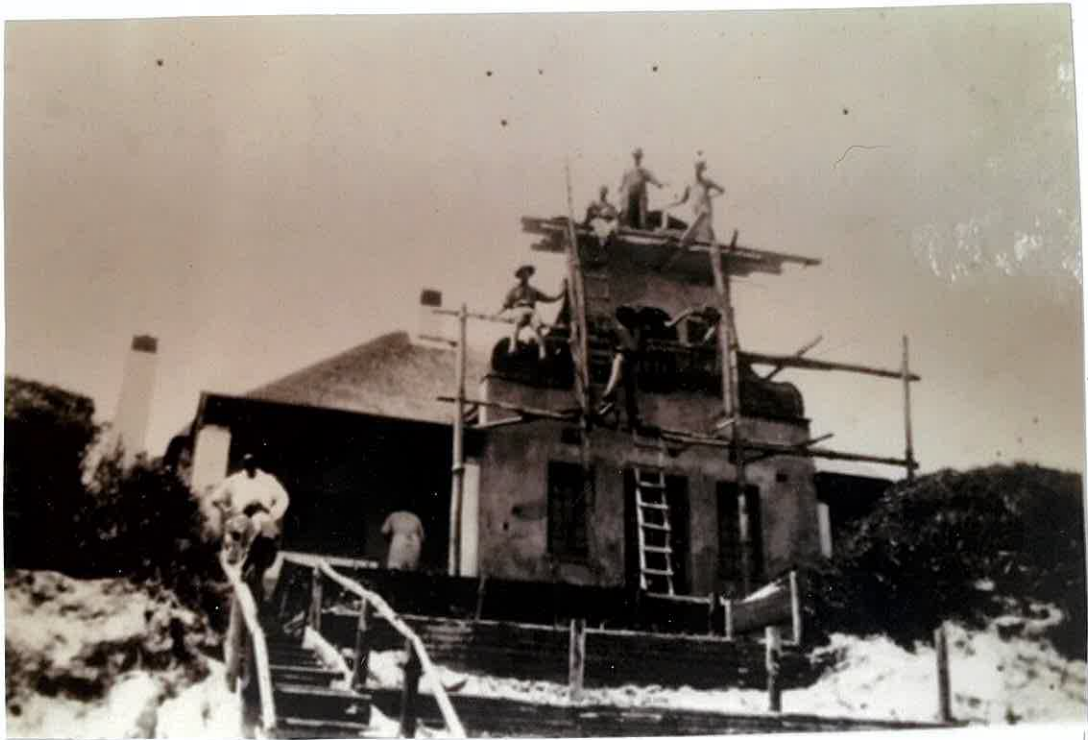


Photo 1. House under construction on Erf 90, Sands Road, Wilderness in December 1933.

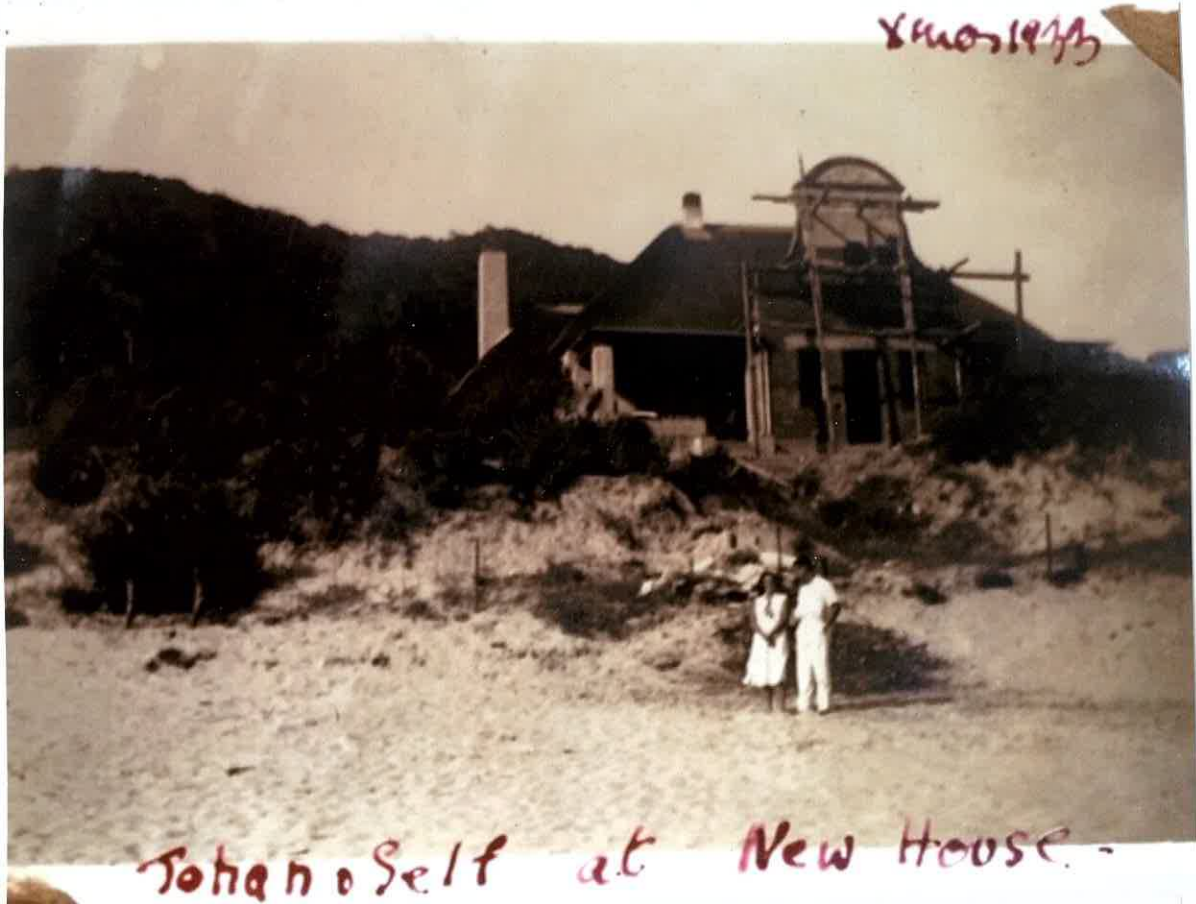


Photo 2. My mother and her cousin on the beach in front of the house.



Photo 3. View of the house from the top of Leentjiesklip showing the general terrain of the sand dunes on which the house was built.



Photo 4. Another side on view from West. Notice that in photos 3 and 4 that there is no other house on the dunes, nor is there any Car Park.



Photo 5. Circa 1934: The completed house showing the front terraced sand dune. This was the very first fortification built by my grandfather to protect the house from the sea.



Photo 6. Circa Late 1930's: This side view from the West shows the first substantial barrier of wood being built to protect the house from the sea.



Photo 7. Circa 1950: View of Wilderness beach from where the new road to George was being built. It shows the railway line as well as a small beach house (ringed in red) situated on the dunes between the railway line and our family's house.



Photo 8. A larger view where the beach house (ringed in red) as well as our family's home are clearly visible.



Photo 9. Circa 1959: Here is a similar view of Wilderness beach as shown in Photos 7 and 8. However, it now shows the car park as well as a fence running East to West along the base of the sand dunes. Very significant is that the beach house is no longer there. It was washed away by high seas some years before.

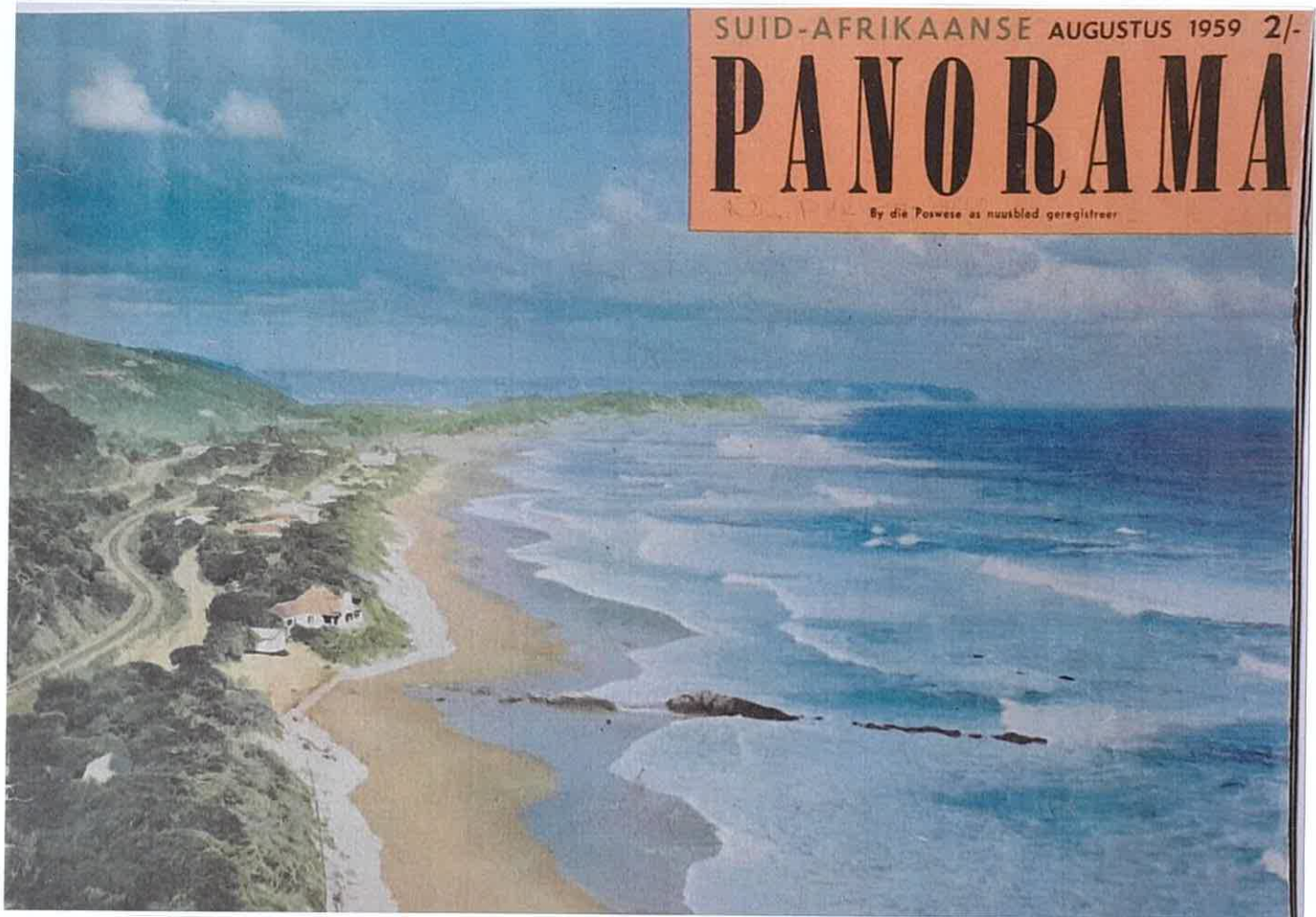


Photo 10. This photo from Panorama Magazine's August 1959 publication again shows the absence of the beach house.



Photo 11: Here we see the first brick and mortar barriers which were built on the property's boundary at beach level to protect the house from the ravishes of the sea. In the foreground is the low sloping dyke built by my grandfather in the early 1960's. Further along is the curved reinforced wall built to protect the more vulnerable South-East portion of the property.



Photo 12. Another view of Wilderness beach showing the full extent of my grandfather's low dyke, and of the curved reinforced wall. One can also clearly see the secondary and tertiary sand dunes further along the beach. The beach in front of our house never had these dunes and the extra protection they offered from high seas.



Photo 13. This shows the front sand dune now vegetated with aloes and other indigenous plants.



Photo 14. Another view of the front sand dune showing just the top ridge of my grandfather's low sloping dyke protruding from the dune sand.



Photo 15. In 1986 we had enough funds to build (what we hoped would be) a final effective barrier to protect the house and property from any future extreme high tides. This wall was built on the southern boundary of our property.



Photo 16. Final plastering of the wall.



Photo 17. In 1987 the protected terrace behind the wall was backfilled with soil up to the level of the wall. The slope was then terraced and more indigenous plants were added.



Photo 18. This photo taken in 1989 shows how well the indigenous plants were growing. Only parts of the wooden terraces are still visible.



Photo 19. This photo taken in 1991 shows dramatically how the indigenous plants have thrived, having virtually covered all the terraces and almost all of the retaining wall.



Photo 20. Another view of the beautiful indigenous terraced sand dune.



Photo 21

Photos 21, 22 and 23 show the dramatic after effects of a massive high tide experienced in 1993. A full 1,4 metres in height of beach was swept away just a few metres from the house's protective boundary wall. Had it gone further, it would undermined the wall's foundations and the wall itself would have collapsed. The results would have been catastrophic.



Photo 22



Photo23



Photos 24. This shows the treated 1,8 metre long poles which I purchased in 1994 to provide an eco-friendly barrier to protect not only the boundary wall, but also the thriving plant life on the beach below the wall.



Photo 25. This shows the poles being planted 1,5 metres deep on the boundary between the plant life below the wall and the bare beach.



Photo 26. This photo taken 2 years later in 1996 shows how well the plant growth below the wall has flourished, protected by the barrier of poles.



Photo 27. This photo was taken after heavy rains and high seas. This is clearly seen by all the massive debris washed down from the rivers into the sea, and from there washed up onto the beach.



Photo 28



Photo 29

Photos 28 and 29. Some 2 years later high seas once more tested the barriers I had installed. Nearly all of the plant growth hanging down the face of the wall, as well the vegetation on the dune sand below the wall behind the pole barrier, was swept away. As a result, fearing further future damage to the wall, I constructed a wooden gabion along the length of the wall, and filled it with sand.

On the afternoon of the 1st September 2003 the Wilderness beach endured the highest tide levels in our family's living memory. The Leentjiesklip area was the least affected, as depicted in the 7 photos, numbers 30 to 36. However, the extremely high seas caused massive devastation of the sand dunes stretching Easterly from our property, as shown in the 8 photos thereafter, numbers 37 to 44.



Photo 30. Raging waves breaking over our wooden gabions.



Photo 31. My mother at the gate looking down at the tubulent sea below



Photo 32. Here is what she is looking at the swirling waters with floating logs and debris at our steps.



Photo 33. The aftermath showing here how much our wall had been undermined by the raging seas.



Photo 34. A view of our barrier of poles.



Photo 35. A view from the beach. Here one can see to the right of our pole barrier (ringed in red) is a barrier of rock boulders protecting Erf 91 next to ours.



Photo 36. Here one can clearly see the barrier of rock boulders protecting the levelled sand dune of Erf 91 above. Here the Erf had already been prepared for the owner's house to be built. This rock barrier had been installed some years before. I am not sure of when this was done.



Photo 37. Here, moving Eastwards from where the neighbour's rock barrier (ringed in red) ends, the sand dune has now been reduced to an unstable sand cliff

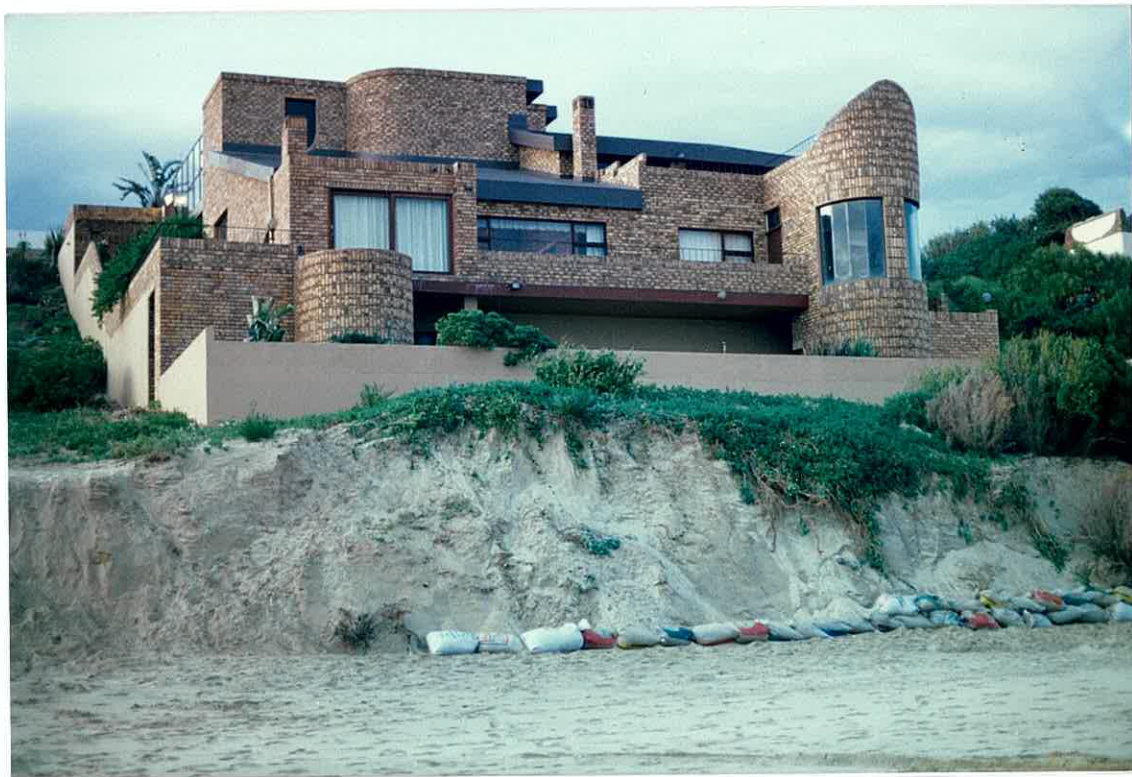


Photo 38. Here one can clearly see how perilously close the sea came to this property.



Photo 39. Here is more devastation where the long middle section of the retaining wall has just disappeared, leaving the rondavel dwelling above very close to plunging down the sand dune cliff.



Photo 40. Another view of the same erf showing the long extent of the wall which was taken by the sea, and how close the rondawel dwelling is to the edge.



Photo 41. This photo show another rock barrier which had also been placed to protect the owner's erf from the sea. Again I do not know when this barrier was erected.



Photo 42. Yet another devastated erf cliff with the protective wall lying flat on the beach.



Photo 43. Here one can clearly see the fallen protective wall.



Photo 44. The devastation seen here requires no words to describe it.



Installation of the protective rock boulders on Erf 90.

After witnessing the futile attempts of both my Grandfather, myself and other land owners to protect their vulnerable properties from the increasing frequency and magnitude of destructive high seas, I decided to do what two other landowners had already done, (as highlighted again above). I also decided to have a rock barrier placed in front of our property to protect it from the sea. I obtained the name of the contractor who had put the rock barrier in front of the property on Erf 91 which is next to ours. I asked the contractor about getting permission from the relevant authorities. He assured me that he would arrange this as he had done with the other property. Unfortunately I (in retrospect naively) did not ask for any written confirmation from him, but took him at his word as he had already successfully done this work before with no problem. So in October 2003 he installed the rock barrier.

The next 4 photos show the installation of the rock barrier. Photos 45 and 46 are of great significance regarding the fact that the contractor must have obtained permission from the relevant authorities. My reason for saying this is as follows:

- 1) Photo 45 clearly shows how the Public Car Park was used to deliver the rocks onto the beach, not just for one day, but for many days.
- 2) Photo 46 shows how the Public Picnic Area was used to create an access ramp for the Front End Loader to gain access to the beach, again for many days.

I cannot begin to believe that the contractor would have been allowed to use these public facilities in open daylight for days on end in full public view, without the permission of the relevant authority. It just is impossible to believe.



Photo 45. This shows rock boulders being tipped off onto the beach from the Public Car Park



Photo 46. This shows the access ramp for the Front End Loader to gain access to the beach from the Public Picnic Area.



Photo 47. This shows the Front End Loader placing the final few rocks in place and covering them with a layer of beach sand.



Photo 48. Here one can see the completed rock barrier under a layer of beach sand. The open uncovered rocks on the right of the photo are those previously placed by my neighbour on his Erf 91.



Photo 49. This shows the results of where I had immediately started planting and nurturing Indigenous plants on the sand covering the rocks.



Photo 50. A view down the length of barrier showing the little mini gardens of indigenous plants.



Photo 51. A view of the same area in a photo taken a year after the barrier was installed.



Photo 52. Almost the same view as in Photo 51, but taken a few years later. Note how well that indigenous plant life has covered the rock barrier.



Photo 53. This photo was taken in 2006 I think. The way the plants are flowering here show just how well the plant life was thriving.



Photo 54. Here at beach level too, there is not a rock in site, only thriving indigenous plant life.



Photos 55. Late in December of 2008 a tsunami type of high water surge swamped the Car Park, engulfing cars as well as the electrical terminal boxes.



Photos 56. This photo shows how large the seas were, because the electrical terminal boxes are situated relatively far away from the Car Park's edge.



Photos 57. Here the huge magnitude of the surging waves can be seen, behind which in the background one can also see our aloes and other natural shrubbery which we had planted years before.



Photo 58. Another view of the massive waves.



Photo 59. Here the high seas are almost covering Leentjiesklip Rock.



Photo 60. Here the seas are so high that only the very top tip of Leentjiesklip Rock (ringed in black) can be seen sticking out, looking like a little sliver.



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The wave of death

The moment the freak wave crashed over the car park at Leentjiesklip in Wilderness on Saturday 16 September will remain etched in the collective memory of all those affected. Jo Hartman (93), who is seen running in front on the right, died shortly after the wave hit the unfortunate group. Read all about the devastation wreaked by this weekend's extreme ocean swells during spring high tide on pages 2 to 5. Photo: Tanya Rossouw

Photo 61. 15 years after the first tsunami type high water surge, Leentjiesklip suffered its next sudden massive type tsunami. On the clear Sunday afternoon of the 16th September in 2023, a massive freak wave surge struck Leentjiesklip. An elderly trying to flee the wave on the car park died shortly after the wave hit her.



Photo 62. Here the massive wave surge engulfs a tree situated on the Car Park.



Photo 63. This shows another view of the terrifying sea surge.



Photo 64. This photo tells it all, and needs no further explanation.



Photo 65. This shows the aftermath of the terrifying sea surge.



Photo 66. This is statue in honour of Leentjie (after whom the area got its name). It had been erected shortly before the occurrence of this massive sea surge, and was still due to be officially unveiled.



Photo 67. This is what was left of Leentjie's statue after the sea surge



Photo 68. Entrance to house on Erf 90, Sands Road, Wilderness showing all the original Milkwood trees that were there before the house was built

Concluding Remarks

There is little doubt that all over the world, global warming has had a massive effect on the frequency and magnitude of weather related catastrophic occurrences. There is no doubt in my mind that the rock barrier I had installed to protect Erf 90, prevented our house from suffering major damage from these tsunami type occurrences which are becoming more and more frequent and violent. For a protective wall to have been built to give adequate protection to the house, the wall would have needed to have a minimum height of at least 4 to 5 metres above the current beach level.

Imagine how unsightly this would look when observed together with the Car Park 2.5 meter high wall.

From the early 1930's when my Grandparents built the house on Erf 90, till today, every generation of my family has had a huge respect and reverence for Nature's environment. My Grandfather insisted, despite his architect's resistance, that not one Milkwood tree be removed to make way for the house. This was long before (as is now the case) for a permit to be obtained for removal of any Milkwood tree. He said to the architect "These trees were here long before we came here. So they will remain here!"

Photo 68 on the opposite page vividly supports this fact. Here one can clearly see all the original Milkwood trees that were there before the house was built.

Geoffrey Pallister (grandson of the original owner)